

MuckRock News
DEPT MR 76720
411A Highland Ave
Somerville, MA 02144-2516
76720-20040106@requests.muckrock.com

PRL APPEAL

September 3, 2019

This is a follow up to a previous request:

Please see our official appeal for the records in question here. Our request for records contained a number of records that we think should be responsive to our request. We know that police agencies are often send emails from industry, both solicited and unsolicited related to new and emerging technologies. We have reason to believe that an adequate search was not performed.

Secondly, we are aware that other agencies in Louisiana has access to facial recognition technology through the Louisiana State Fusion Center (see here: <https://onezero.medium.com/new-orleans-police-claim-not-to-use-facial-recognition-tech-emails-reveal-thats-not-totally-true-465f8cd9a71c>). While this is not proof that they would have IGA or MOUs with the fusion center for the technology, it suggests that there are more records than the agency claims.

Please review our request and let me know if you have any questions.

Freddy Martinez
Policy Analyst
Open the Government

Filed via MuckRock.com
E-mail (Preferred): 76720-20040106@requests.muckrock.com

For mailed responses, please address (see note):

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On Aug. 22, 2019:
Subject: RE: Louisiana Public Records Law Request: Facial Recognition - Baton Rouge (LA)
Dear Mr. Martinez,

I have confirmed that BRPD is not in possession of any of the records requested below due to the fact

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BR PD LEGAL

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BRPD does not have any Facial Recognition databases. Requests that come from BRPD for use of such technology are sent to and processed by Louisiana State Police.

Please let me know if you have any questions or concerns.

Deelee S. Morris
Special Assistant Parish Attorney
Legal Advisor to the Baton Rouge Police Department
9000 Airline Highway
Baton Rouge, LA 70815
Telephone: 225-389-3809
Facsimile: 225-389-5589

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On Aug. 13, 2019:
Subject: RE: Louisiana Public Records Law Request: Facial Recognition - Baton Rouge (LA)
We are still processing your request.

If you have any questions or concerns, please feel free to contact our office.

Sincerely,

Brittany Booker
Legal Division
Sr. Clerical Specialist
(225) 389-3809 ext. 1057
Fax: (225) 389-5589

On July 29, 2019:
Subject: RE: Louisiana Public Records Law Request: Facial Recognition - Baton Rouge (LA)
Good Morning,

We are still processing your request at this moment.

Sincerely,

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Brittany Booker
Legal Division
Sr. Clerical Specialist
(225) 389-3809 ext. 1057
Fax: (225) 389-5589

On July 11, 2019:
Subject: RE: Louisiana Public Records Law Request: Facial Recognition - Baton Rouge (LA)
We are still processing request.

If you have any questions or concerns, please feel free to contact our office.

Sincerely,

Brittany Booker
Legal Division
Sr. Clerical Specialist
(225) 389-3809 ext. 1057
Fax: (225) 389-5589

On July 8, 2019:
Subject: Louisiana Public Records Law Request: Facial Recognition - Baton Rouge (LA)

To Whom It May Concern:

Pursuant to the Louisiana Public Records Law, I hereby request the following records:

Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services.

This software or services may be provided by Rekognition, Face++, and FaceFirst; this request is applicable to these and any other company providing facial recognition services under consideration or contract with this agency.

Responsive materials include but are not limited to:

- Agreements: contracts (including non-disclosure agreements), licensing agreements, nondisclosure agreements
- Bid records: Requests For Proposal (or equivalent calls for bids), sole source or limited source justification and approval documentation, documentation of selection, and other materials generated in the consideration and selection of the technology in question
- Company relations and communications: records related to meetings or follow-up actions with any vendors, companies, or other private entities marketing face recognition to this agency for immigration, intelligence, law enforcement, or other use.

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- Financial records: purchase orders, invoices, and other memoranda and documentation.
- Marketing records: All marketing materials - unsolicited, requested, or otherwise - acquired from vendors of face recognition technology
- Policy records: any policy directives, guidance documents, memoranda, training materials, or similar records governing the use of face recognition technology for immigration, law enforcement, or other purposes. Any memoranda of understanding between this agency and other agencies to share data, access remote systems or other forms of information sharing with external agencies.
- Training records: training material governing the use, sharing, or access to any related data related to or collected by the face recognition software/technology, including the legal standard that is required before using the technology. Documents, should they exist, about training for bias in the use of facial recognition technology.
- Use and function records: Materials that describe the function of the software considered or in use by this agency, including emails, handouts, PowerPoint presentations, advertisements, or specification documents.
- Validation and accuracy: Records, reports, audits, and other documents sufficient to describe validation, accuracy, reliability, and policy compliance of the system.

Please limit the search to records produced from January 1, 2017 - present. Please include in your search as responsive records: communications, memorandums, background papers, meeting minutes, email exchanges, or presentation materials. If your office has questions about this request, please feel free to direct them to the address associated with this request or call the MuckRock office at 617-299-1832.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 3 business days, as the statute requires.

Sincerely,

Freddy Martinez

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